



## Personnel and Administrative Policy and Procedure

<b>SUBJECT:</b> Recruitment and Selection	<b>EFFECTIVE DATE:</b> January 15, 2008 <b>REVIEWED:</b> <b>REVISED:</b> December 2012
<b>CATEGORY:</b> 200 <b>POLICY NUMBER:</b> 200.45	<b>CROSS REFERENCE:</b>

**Purpose:** To establish a systematic and equitable manner by which employees are recruited and selected.

### Definitions

At Will Appointment: Any employee appointed to “at will” employment. This includes the City Manager, Municipal Judge, and department heads. Such persons serve at the pleasure of the appropriate appointing authority as provided in the City Charter or Code or in their employment agreements. Provisions of the administrative procedures will cover these employees only where consistent with their employment agreement and the nature of at will employment.

Full Time Position: A work schedule of normally forty (40) hours during the week.

Limited Term Position: With mutual agreement between the City and Union, a person may be appointed to a position for a limited duration of up to two (2) years. The provisions of the contract cover limited term employees except that they do not have access to seniority or layoff provisions. Such positions might be used if the funding source is a grant.

Part Time Position: A position requiring an employee to work less than a full-time schedule on either a daily or weekly basis. Part-time employees may be appointed to authorized positions of less than 1.0 FTE. Part-time appointments of .5 FTE or greater, excluding temporary positions, are considered in regular status service and employees may accrue benefits on a prorated basis based on the budgeted FTE of the position.

Probationary Appointments: Appointments made at entrance, promotion, or reemployment to a position shall be considered probationary appointments. Probationary appointments may be made to either full-time or part-time positions. Probation is considered the final step in the selection process.

Regular Status Appointments: The status of employees who have successfully completed a probationary period for a budgeted full or part-time position other than seasonal or temporary.

Temporary/Seasonal Position: Those individuals who work for up to 1039 hours in any calendar year. .

**Objective:** The City is able to attract and retain a qualified workforce for positions.

**Scope:** All positions.

**Policy:** All recruitment and selection processes will be conducted in a manner consistent with the City of Milwaukie being an equal opportunity employer. The City of Milwaukie will not discriminate against any employee or applicant for employment because of political affiliation, race, national origin, age, sex, religious affiliation, marital status, mental or physical disability (as defined by the Americans with Disabilities Act {ADA}), gender, sexual orientation, veteran status, or any other protected class under State and/or Federal law except where there is a bona fide occupational qualification. Furthermore the

City will take affirmative action to ensure that applicants and employees are treated without regard to these characteristics during the recruitment process or any subsequent appointment with the City of Milwaukie.

## **Guidelines for Use**

### Applications:

All persons applying for employment must submit a city employment application and any requested supplemental materials within the timeframe specified. Applications will only be accepted for positions for which there is a current recruitment process. Application and supplemental materials shall be considered confidential.

### Internal versus External Recruitments:

Recruitments may be limited to internal or may be run externally. When run externally, current employees are still encouraged to apply. Determination of whether to use an internal versus external selection process may consider any of the following criteria, but this listing shall not be considered exclusive: (1) existence of a career ladder; (2) pool of qualified internal candidates that possess the minimum skills necessary; (3) history of frequency of vacancies; and (4) current market conditions. City employees who are among the finalists may be given preference, if in the department heads and selection panel's judgement, they are at least as well qualified as any other finalist.

### Advertisement:

This may include, but will not necessarily be limited to, internal job posting, the City's website, newspaper publications, public and private employment agencies, applicable professional organizations. When an external recruitment process is used, publicity will be conducted in such a manner and for a sufficient period of time to ensure an opportunity for the public to apply and to be considered for City employment.

### Eligibility Lists:

At times eligibility lists may be used to fill vacant positions. Taken into consideration are the number of persons who successfully passed all steps in the most recent recruitment for the position and length of time since the last recruitment.

### Selection Methods:

Any combination of the following methods may be used to determine whether applicants meet or exceed the minimum qualifications listed in the class specification: completed application; written, performance, physical or psychological examination; individual or group examination; assessment center; information provided by references; pre-employment drug screen; background check; or other job related screening techniques. This should not be considered an exhaustive list. An applicant must meet or exceed the minimum qualifications of the position as stated on the classification specifications in order to move forward in the selection process. If, due to market conditions, there are an insufficient number of applicants who meet the minimum qualifications, the hiring manager, in conjunction with the Human Resources Director, may modify the requirements and the selection procedure or may decide to under fill the position with a lower level classification of a trainee position.

### Reference Checks:

To ensure that individuals who join the City are well qualified and have a strong potential to be productive and successful, it is the policy of the City to check the employment references of all final applicants being considered for employment. These verifications are generally handled through Human Resources, unless an alternative has been agreed to with the hiring manager. All applicants must sign the application, which includes a release to conduct reference verifications and background investigations.

Only supervisors or Human Resources are authorized to provide references for former City employees and only after verifying that the requesting party has obtained an appropriate release from the previous

employee. The reference shall be based on the respondent's good faith assessment of the employee's job performance.

#### Post Job Offer Pre-Employment Physical Screenings:

1. Drug tests: These are conducted on all applicants of safety sensitive positions after a conditional offer of employment has been made. A positive drug screen will automatically disqualify an applicant for employment in a safety sensitive position.
2. Pre-employment Physical Capacities Tests: For positions requiring a higher level of physical activity a job analysis is conducted by an outside agency to determine an appropriate pre-employment physical capacities test. If a position requires the employee to hold a CDL or use a respirator there is an additional required medical examination. Also medical examinations are conducted for Police Officer positions based on standards set by the Department of Police Standards and Safety Training (DPSST).

#### Background Investigations:

The City has a high commitment to its employees and citizens to provide a safe work environment and promotes high standards of employee fitness. The scope of the check required depends on the particular position or assignment. At a minimum a criminal history check and driving record check will be conducted for all applicants for employment and may be run on current employees if there is reason to suspect that such information has changed. The City Council has adopted the appropriate Ordinance to authorize the Police department to conduct background checks on applicants to the City.

1. Driving Record: In general an applicant for a position where the person will be required to drive as part of the job will be disqualified if the person has more than 3 traffic tickets in the past three years and/or a DUII within the past 5 years. The HR director in consultations with the Department Director and Police representative checking the driving status reserves the right to use his or her discretion and use alternative criteria depending upon the particulars of the situation and the position involved.
2. Criminal History: Only convictions and not arrests will be considered. Expunged juvenile records will not be considered. The Human Resources Director in consultation with the Police representative conducting the criminal history check will review the criminal history and the nature of the position to determine if someone is qualified to perform the duties of the position. When reviewing a conviction record the following will be taken into consideration:
  - The nature, gravity and frequency of the offense.
  - The duties of the position the employee holds or is applying for.
  - The age of the individual at the time of the conviction.
  - The time that has passed since the conviction.
  - The employee's entire work record or the applicant's work qualifications in total rather than only one aspect of the individual's history.
3. Credit Record: The City reserves the right to conduct credit record checks on person who will be employed in the Police department or who will have access to confidential financial information in compliance with ORS 659A..

#### Disqualification of a Candidate:

Failure to successfully pass any portion of the screening process may be grounds for disqualification. If a finalist for a position fails to participate in any post job offer pre-employment physical screening or

background investigation, when directed to do so it will be grounds for no longer being considered for the position.

Applicants whose criminal history investigation causes the City to question the applicant's suitability will be ineligible for hire. In addition, the following may also be grounds for disqualification:

- Conviction of a crime which in the City's judgment would render the person unfit to perform the duties of a particular position.
- Having used or attempted to use political influence or bribery to secure an advantage in obtaining appointment.
- Having made a false statement in the application or examination process.
- Having otherwise violated provisions of the City charter or any of the administrative policies or procedures.
- Failing to be promptly present at the time and place designated for any portion of the examination process.

Once hired a person must continue to meet the qualifications for the position.

### **Procedures**

1. The hiring manager reviews staffing needs and availability of funding for the position.
2. The hiring manager and HR meet to address and establish recruitment and targeted outreach strategies for the position.
3. HR, in conjunction with the hiring manager, develops recruitment and selection tools.
4. The hiring manager reviews and approves content of position job announcement, supplemental questionnaire, and oral board selection materials.
5. The hiring manager will suggest potential oral board raters.
6. Human Resources will confirm and schedule the oral board interview panel.
7. Once the oral boards are complete, the hiring manager or department head will schedule and conduct an executive interview on the top candidate(s).
8. Human Resources or in some cases, the hiring manager, will conduct reference checks on the top candidate(s).
  - a. Verify that authorization exists to contact references and past employers.
  - b. Review application for work-related information to be asked during the reference check. If the hiring manager is conducting the reference check, he/she should obtain a list of potential questions from Human Resources.
  - c. Contact past employers to verify work history information on the application.
  - d. If the reference check reveals that a candidate knowingly provided false information on the employment application this will constitute grounds for disqualifying the applicant from further consideration for employment at the City.
9. Prior to making an offer of employment, the hiring manager will consult with HR to review information received in final interview, reference checks, and discuss terms of the job offer.
10. The hiring manager is authorized to give the first step of the salary range. Beyond that, the starting pay rate needs concurrence of the HR Director.
11. The hiring manager will extend an offer of employment to the successful candidate, contingent upon the candidate's successful completion of a pre-employment drug screen, background check or other applicable pre-employment exams.
12. Human resources will coordinate with the candidate and the testing facility for the candidate to take the pre-employment drug screen and any other applicable physical screenings and will verify the results of the pre-employment screen(s).

13. The hiring manager will determine the start date and notify Human Resources.
14. Human Resources will document the hire information on a Personnel Action form, schedule the new employment orientation, and obtain necessary required documentation for employment.
15. Appointments made at entrance or promotion, or upon reinstatement or reemployment to a position shall be considered probationary appointments.

## **Responsibilities**

### Human Resources:

- Develop the recruitment process in conjunction with the hiring manager.
- Ensure that there is an accurate classification specification for the position.
- Oversee the recruitment and selection process. Develop recruitment materials, advertise the position, and develop selection criteria and process.
- Obtain all necessary authorizations and releases prior to sending an applicant or employee to a drug screen or other background check(s).
- Coordinate the tests and screenings.
- Maintain the confidentiality of all records and results of any screenings listed in this policy.
- Follow proper notification requirements under the Fair Credit Reporting Act (FCRA). These include providing the applicant or employee with a notice of the decision not to hire or other employment action, a copy of the report, and a copy of his/her FCRA rights before the adverse action is taken.
- Maintain results of criminal history, credit history, and driving record in sealed confidential files.
- Maintain the results of the drug screens in medical files for the respective employee separate from the employee's personnel file.

### Hiring Manager:

- Confirm the budget or funding sources available for hiring.
- Initiate a request for recruitment.
- Review the classification specifications for the position for any changes or revisions.
- Work in conjunction with Human Resources to develop and review the recruitment and selection methods and tools.
- Make all job offers contingent upon successful completion of the drug screen and required background check(s).
- Inform a potential employee that a job offer is being made contingent upon successfully passing the required screenings.
- Maintain the confidentiality of all records and results of any screenings listed in this policy.

### Police Department:

- Conduct the background, driving record, criminal history check and /or credit history check.

### Applicant and Employee:

- Be truthful in the completion of all materials for employment.
- Sign appropriate authorizations and releases for the screenings to be performed.
- Participate in a screening when directed to do so or recognize that he or she may be forfeiting the position.
- All City employees are required to report all criminal convictions to the HR Director or supervisor the first working day following the conviction.

**Attachments**

The Federal Fair Credit Reporting Act Disclosure Statement  
Post Job Offer/Pre-Employment Screenings

**Post Job Offer/Pre-Employment Screenings**

<b>Position</b>	<b>Drug Screen</b>	<b>Pre-employment Physical</b>	<b>DMV Check</b>	<b>Criminal History Check</b>	<b>Comprehensive Background Check</b>	<b>Credit Check</b>
All Positions			Yes	Yes		
Police dept Personnel	Yes	Yes	Yes	Yes	Yes	Yes
Dept Directors			Yes	Yes		
Finance Employees			Yes	Yes		In compliance with SB 1045
IST Employees			Yes	Yes		
Library Employees			Yes	Yes		
Public Works Employees including mechanics	Yes if CDL required	Yes	Yes	Yes		